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 UNITED STATES DEPARTMENT OF JUSTICE

UNITED STATES DISTRICT COURT  
 NORTHERN DISTRICT OF CALIFORNIA  
 SAN FRANCISCO DIVISION

WILLIAM PICKARD,	)	CASE NO. C 06-0185 CRB
	)	
Plaintiff,	)	<b>DEFENDANT'S ADMINISTRATIVE MOTION</b>
	)	<b>FOR CLARIFICATION OF MAY 7, 2014,</b>
v.	)	<b>ORDER</b>
	)	
UNITED STATES DEPARTMENT OF	)	No Hearing Date
JUSTICE,	)	
	)	Honorable Charles R. Breyer
Defendant.	)	
	)	
	)	
	)	

Pursuant to Civil L.R. 7-11, Defendant hereby files this administrative motion to request clarification of the Court's May 7, 2014, Order Vacating Hearing, Denying Cross-Motions for Summary Judgment, and Ordering Submission of Materials for In Camera Review directing, *inter alia*, "within thirty (30) days of this Order, the government is ORDERED to submit . . . (2) all of the responsive documents that the government continues to withhold in full or in part to Magistrate Judge Nathanael Cousins for in camera review . . . ." Doc. #198 at 11 (underlining in original). Pursuant to stipulation, the Court subsequently extended the deadline to submit the documents to June 27, 2014. Doc. #200.

Because any records responsive to Plaintiff's request would be contained in informant files that are sensitive, are ordinarily maintained in a highly secure location within DEA offices and subject to

1 strict controls, the government respectfully seeks guidance on the following issues:

2 **1. Does the Court require the original records or would the Court be amenable to**  
3 **conducting its review of a copy of the records?**

4 The DEA Agents Manual, Section 6612.92, provides:

5 F. Judicial Access. On an individual basis, a prosecutor or judge may be granted access  
6 to CS files as necessary. \*\*If a prosecutor or a judge requests to examine CS files, CCM  
7 must be contacted\*\*. Such examination will, if possible, be conducted in the DEA  
8 office. If a CS file is to be reviewed by a prosecutor or judge outside the DEA office, the  
9 file must be hand delivered by a DEA SA who will remain until the review is completed  
10 and will return the file to the DEA office on the same day.

11 DEA does not typically make copies of documents contained in a confidential source file.

12 Accordingly,

13 **2. Would the Court allow a DEA Special Agent to deliver the records to the Court for its**  
14 **review at a time specific and allow a DEA Special Agent to remain until the records are**  
15 **reviewed, or retrieve the files at the end of each day, so that the files can remain stored**  
16 **in the DEA's office when they are not being reviewed?**

17 Respectfully submitted,

18 MELINDA HAAG  
19 United States Attorney

20 DATED: June 18, 2014

21 /s/  
22 NEILL T. TSENG  
23 Assistant United States Attorney  
24 Attorneys for Defendant  
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